

### **REMARKS**

Claims 1-20 are pending in the above-identified application. Claims 15-20 are rejected under 35 U.S.C. §101 because the claimed invention is allegedly directed to non-statutory subject matter. Claims 1, 2, 7-10, 15 and 16 are rejected under §102(b) as being anticipated by Juels et al. (U.S. Patent Pub. No. 2002/0029341; hereinafter referred to as “Juels”). Claims 3-6, 11-14 and 17-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Juels in view of Zilberman (U.S. Pat No. 6,442,692).

Applicants submit that these amendments and remarks overcome all of the Examiner’s outstanding rejections and bring the present Application into condition for allowance. Entry of this amendment and a notice of allowance of all claims are therefore respectfully solicited.

#### **Rejections Based on §101**

The O.A. rejects claims 15-20 under §101, stating, “[T]here is no concrete, tangible, useful, final result. The end result of claim 15 (which is non-tangible) is memory with a stored classification value.” (O.A., p. 2, note 2). Claim 15 is amended to specify that the claimed logic is employed to enable access to a computing system, which is a concrete, tangible and useful final result. Applicants believe this addresses the issues raised in the O.A. and renders claims 15-20 allowable. Therefore, Applicants respectfully request withdrawal of the §101 rejections of claims 15-20.

#### **Rejections Based on §102(b)**

Claims 1, 2, 7-10, 15 and 16 are rejected under §102(b) as being anticipated by Juels et al. (U.S. Patent Pub. No. 2002/0029341; hereinafter referred to as “Juels”). Independent claims 1, 9 and 15 have been amended to clarify that the claimed subject matter is directed to modeling passwords entered on some type of keyboard and that the password mappings depend upon the entered characters. Applicants believe these amendments to the claims clearly distinguish Applicants’ claimed subject matter from Juels for the reasons described below.

In general, the passwords of Juels are entered on a graphical interface, which is both a specialized type of data entry and by its nature relies upon a “fuzzy” logic to identify individual

entries. Unlike Applicants' claimed subject matter, Jules is not directed to a keyboard-based password entry system and is not applicable in that context. In other words, Juels is directed to a password system that does not present clearly defined and discrete choices, such as those presented by characters on a keyboard, and the technology of Juels is directed to overcoming that particular limitation of a graphical interface. In contrast, Applicants' claimed subject matter is directed to a standard, keyboard password entry system. Applicants contend the difference is significant because the technology of Juels does not apply and is not even certain to work in the context of a keyboard. There is simply no reason to employ the pattern recognition technology of Juels within the character-based password system described in Applicants' claimed subject matter.

For these reasons, independent claims 1, 9 and 15 are allowable over the cited art. In addition, dependent claims 2, 7, 8, and 16 are allowable because they each depend upon one of the allowable independent claims. Therefore, Applicants respectfully request withdrawal to the §102(b) rejections of claims 1, 2, 7-10, 15 and 16.

#### **Rejections Based on §103(a)**

Claims 3-6, 11-14 and 17-20 are rejected under 35 U.S.C. §103(a) as being unpatentable over Juels in view of Zilberman (U.S. Pat No. 6,442,692). Although Zilberman introduces a keyboard-based password entry system, Zilberman is not directed to a password entry system that creates a mapping based upon the characters of the keyboard. In fact, Zilberman specifically excludes a mapping based upon individual keystrokes by describing the technology as follows:

The programmed microcontroller of the present invention measures certain characteristics of **keystroke dynamics which are independent of the typing text[.]**

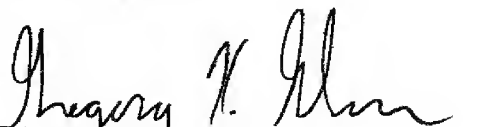
(col. 2, lines 14-16; *emphasis added*). Examples of the metrics employed in the system of Zilberman include the timing of keystrokes rather than the characters of the keystrokes (col. 5, lines 28-56). In short, Zilberman specifically excludes mapping passwords based upon typed characters and Juels is directed to a system that is not character-based. Therefore, neither Juels nor Zilberman, either alone or in combination describe all the elements of Applicants' claimed subject matter and, further, there is no motivation to combine the references.

To establish *prima facie* obviousness of a claimed invention under §103(a), all the claim limitations must be taught or suggested by the prior art. (M.P.E.P., §2143.03, citing *in re Royka*, 490 F.2d 981; 180 U.S.P.Q. 580 (CCPA 1974)). In addition, "**All words in a claim must be considered** in judging the patentability of that claim against prior art." (*Id.*, citing *In re Wilson*, 424 F.2d 1382, 1385; 165 U.S.P.Q. 494, 496 (CCPA 1970); *emphasis added*). Applicants believe that the cited art fails to meet this standard. For the reasons above, claims 3-6, 11-14 and 17-20 are allowable over the cited art. In addition, claims 3-6, 11-14 and 17-20 are allowable because they each depend upon one of the allowable independent claims.

### CONCLUSION

In light of the amendments and remarks made herein, Applicants submit that all pending claims are allowable and earnestly solicits notice thereof. A Request for a One-Month Extension of Time is being filed and paid for electronically in conjunction with this Response so that Applicants have until August 10, 2007 to respond. It is believed that no other fees are due with the filing of this Amendment/Response. However, should any other fees be due, the Commissioner is hereby authorized to charge such fees to the deposit account of IBM Corporation, Deposit Account No. 09-0447.

Respectfully submitted,



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